

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

<b>DALE GRIMM</b>	<b>:</b>	<b>CASE NO. 3:21cv12</b>
<b>Plaintiff,</b>	<b>:</b>	<b>JUDGE WALTER H. RICE</b>
<b>v.</b>	<b>:</b>	
<b>MARK DONNATELLI, et al.</b>	<b>:</b>	
<b>Defendants.</b>	<b>:</b>	

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**ORDER**

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The Complaint in this action was filed on **January 8, 2021**. There is no record that service has been made upon the Defendants.

Federal Rule of Civil Procedure 4(m) provides:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. This subdivision (m) does not apply to service in a foreign country Rule 4(f) or 4(j)(1) or to service of a notice under Rule 71.1(d)(3)(A).

The Court **ORDERS** that Plaintiff(s) show cause within twenty (20) days of this date of this Order why this action should not be dismissed. The good cause showing must be supported with sworn affidavits. In addition, the Plaintiff(s) should file an appropriate motion under Federal Rule of Civil Procedure 6(b) to extend the time period of effecting service of process.

**IT IS SO ORDERED.**

  
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WALTER H. RICE, JUDGE  
UNITED STATES DISTRICT COURT

Copies to:  
Counsel of record